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COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 20, 2001

APPLICATION OF

ENRON BROADBAND SERVICES  
OF VIRGINIA, INC.

CASE NO. PUC010054

For a certificate of public  
convenience and necessity to  
provide local exchange  
telecommunications services

ORDER FOR NOTICE AND HEARING

On August 8, 2001, Enron Broadband Services of Virginia, Inc. ("Enron" or "Applicant"), completed an application for a certificate of public convenience and necessity ("certificate") with the State Corporation Commission ("Commission") to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

NOW UPON CONSIDERATION of the application, the Commission is of the opinion and finds that Enron's application should be docketed; that the Applicant should give notice to the public of its application; that the Commission Staff should conduct an investigation into the reasonableness of the application and present its findings in a Staff Report; and that a public hearing should be convened to receive evidence relevant to

Enron's application for a certificate to provide local exchange telecommunications services.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUC010054.

(2) A public hearing for the purpose of receiving evidence relevant to Enron's application for a certificate to provide local exchange telecommunications services is scheduled for October 10, 2001, at 9:30 a.m. in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia.

(3) On or before August 30, 2001, the Applicant shall complete publication of the following notice to be published on one (1) occasion as classified advertising in newspapers having general circulation throughout the Applicant's proposed service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION BY  
ENRON BROADBAND SERVICES OF VIRGINIA, INC. FOR A  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY TO PROVIDE LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICES THROUGHOUT  
THE COMMONWEALTH OF VIRGINIA  
CASE NO. PUC010054

On August 8, 2001, Enron Broadband Services of Virginia, Inc. ("Enron" or "Applicant") completed an application with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity ("certificate") to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

A public hearing will be convened on October 10, 2001, at 9:30 a.m. in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia, to hear evidence relevant to Enron's application for a certificate to provide local exchange telecommunications services.

Copies of the application are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, or can be ordered from counsel for Enron, Daniel Clearfield, Esquire, Wolf, Block, Schorr and Solis-Cohen, LLP, 212 Locust Street, Suite 300, Harrisburg, Pennsylvania 17101.

Any person desiring to comment in writing on Enron's application for a certificate to provide local exchange telecommunications services may do so by directing such comments on or before September 10, 2001, to the Clerk of the Commission at the address set out below. Any person desiring to make a statement at the public hearing concerning Enron's application for a certificate to provide local exchange telecommunications services need only appear in the Commission's second floor courtroom at 9:15 a.m. on the day of the hearing and identify himself or herself as a public witness to the Commission's Bailiff.

Any person who expects to submit evidence, cross-examine witnesses, or otherwise participate in the proceeding as a Respondent, pursuant to Commission Rule 5 VAC 5-20-80 B of the Commission's Rules of Practice and Procedure, should promptly obtain a copy of the Order for Notice and Hearing from the Clerk of the Commission for

complete details of the procedural schedule and instructions on participation.

Individuals with disabilities who require an accommodation to participate in the hearing should contact the Commission at least seven (7) days before the scheduled hearing date at 1-800-552-7945 (voice) or 1-804-371-9206 (TDD).

All written communications to the Commission concerning Enron's application should be directed to Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P. O. Box 2118, Richmond, Virginia 23218, and must refer to Case No. PUC010054.

ENRON BROADBAND SERVICES OF VIRGINIA, INC.

(4) On or before August 30, 2001, Applicant shall provide a copy of the notice contained in ordering paragraph (3) to each local exchange telephone carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first-class mail, postage prepaid, to the customary place of business or residence of the person served. Lists of all current local exchange and interexchange carriers in Virginia are attached to this Order as Appendices A and B, respectively.

(5) On or before September 27, 2001, the Applicant shall file with the Commission proof of notice and proof of service as ordered herein.

(6) On or before August 30, 2001, the Applicant shall prefile with the Commission an original and fifteen (15) copies

of any additional direct testimony it intends to present at the public hearing. Copies shall also be served on any person who files a Notice of Participation.

(7) On or before September 14, 2001, any person desiring to participate as a Respondent as defined in Rule 5 VAC 5-20-80 B of the Commission's Rules of Practice and Procedure ("Rules") shall file an original and fifteen (15) copies of Notice of Participation as provided in Rule 5 VAC 5-20-150 and shall serve a copy of the same on counsel for Enron, Daniel Clearfield, Esquire, Wolf, Block, Schorr and Solis-Cohen, LLP, 212 Locust Street, Suite 300, Harrisburg, Pennsylvania 17101.

(8) Any person desiring to comment in writing on Enron's application for a certificate to provide local exchange telecommunications services may do so by directing such comments on or before September 14, 2001, to the Clerk of the Commission at the address set out above. Comments must refer to Case No. PUC010054. Any person desiring to make a statement at the public hearing concerning the application for a certificate for local exchange telecommunications services need only appear in the Commission's second floor courtroom at 9:15 a.m. on the day of the hearing and identify himself or herself to the Commission Bailiff as a public witness.

(9) Any person who expects to submit evidence, cross-examine witnesses, or otherwise participate in the proceeding as

a Respondent pursuant to the Rule 5 VAC 5-20-80 B shall file on or before September 17, 2001, an original and fifteen (15) copies of its Notice of Participation, referring to Case No. PUC010054, and shall on the same day mail a copy thereof to Daniel Clearfield, Esquire, at the address identified above and to any other Respondent(s). The Notice of Participation shall set forth: (i) a precise statement of the interest of the Respondent in the proceeding; (ii) a full and clear statement of the facts which the Respondent is prepared to prove by competent evidence; and (iii) a statement of the specific relief sought and the legal basis therefor. Any corporate entity that wishes to submit evidence, cross-examine witnesses, or otherwise participate as a Respondent must be represented by legal counsel in accordance with the requirements of Rule 5 VAC 5-20-30 of the Commission's Rules.

(10) On or before September 17, 2001, each Respondent shall file with the Clerk of the Commission an original and fifteen (15) copies of the prepared testimony and exhibits the Respondent intends to present at the hearing and shall on the same day mail a copy of the same to Daniel Clearfield, Esquire, and other Respondent(s). Service upon Enron shall be made at the address set forth above.

(11) The Commission Staff shall analyze the reasonableness of Enron's application and present its findings in a Staff Report to be filed on or before October 1, 2001.

(12) On or before October 1, 2001, if necessary, the Commission Staff may file with the Clerk of the Commission an original and fifteen (15) copies of any prepared testimony and exhibits it intends to present at the public hearing. A copy of the Staff's direct testimony shall be mailed to counsel for the Applicant and to each Respondent.

(13) On or before October 5, 2001, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of any testimony it expects to introduce in rebuttal to any direct prefiled testimony of Staff and Respondent(s). A copy of the rebuttal testimony shall be mailed to Staff and each Respondent by overnight delivery.

(14) The Applicant shall respond to written interrogatories or data requests within seven (7) days after the receipt of the same. Respondent(s) shall provide to the Applicant, other Respondent(s), and Staff any workpapers or documents used in preparation of their prefiled testimony, promptly upon request. Except as so modified, discovery shall be in accordance with Part IV of the Rules.